

EX 465

His Excellency ABE, Nobuyuki
Envoy Extraordinary and Ambassador
Plenipotentiary of the Japanese Empire

Monsieur l'Ambassadeur,

I have the honor to inform you that today in affixing our signatures to the treaty regarding the basic relations between the Republic of China and Japan the following understanding has been reached between Your Excellency and myself.

I

Since Mongolia (the area north of the Inner Great Wall; the wall itself is not included) possesses the peculiarity of being a highly cohesive area for the both countries of China and Japan from the standpoint of national defense and economy, as per stipulations of the aforementioned treaty, Mongolia shall be an highly autonomous area of highly protective nature against Communism, and comprehensive rights of self-government shall be recognized on the basis of the present condition.

The Republic of China shall stipulate the rights of Mongolia's autonomy by laws and ordinances relating to the autonomy of Mongolia; but, in regard to the enactment of such laws and ordinances, the Government of the Republic of China shall consult the Government of Japan beforehand.

II

(1) In view of the fact that North China (the area in Hopei, Shensi and Shantung, south of the Inner Great Wall; the wall itself is included) is a close collaborative area between China and Japan from the standpoint of national defense and economy, as prescribed in the aforementioned treaty and annexed documents, the Government of the Republic of China has established in North China the North China Political Committee to take over and dispose of the matters that had been managed by the Provisional Government of the Republic of China. The powers and organization of the said Committee shall be speedily adjusted and regulated within the limit, and with the view, of realizing the following items under (2) upon the restoration of general peace between the two countries.

(2) Among the Sino-Japanese cooperative matters in North China, the following are the matters which the North China Political Committee can locally dispose of upon the restoration of general peace between the two countries; and in this regard, the Government of the Republic of China shall make stipulations by laws and ordinances on the basis of its consultation with the Government of Japan.

A. Matters concerning cooperation against Communism and for peace preservation.

(1) Disposition of the matters related to the stationing of Japanese troops.

(2) Disposition of the necessary matters in regard to Sino-Japanese cooperation against Communism and for peace preservation.

(3) Disposition also of the matters related to Sino-Japanese military cooperation.

However, the dispositions with regard to the National defense Army shall be made by a military affairs administrative organ to be established by the Government of the Republic of China in North China; and furthermore, as regards the military strength of the Pacification Corps maintained by the North China Political Committee, it shall be prescribed separately.

B. Matters concerning economical collaboration in North China; particularly, the development and utilization of underground resources necessary for national defense, and the supply and distribution of materials among Japan, Manchukuo, Mongolia and North China.

(1) Matters concerning the granting of facilities to Japanese subjects for developing and utilizing underground resources; particularly, the resources necessary for national defense.

(2) Dispositions in regard to the facilitation and the rationalization of the supply and distribution of materials among Japan, Manchukuo, Mongolia and North China.

(3) Dispositions in regard to the cooperation on currency and exchange among Japan, Manchukuo, Mongolia and North China.

(4) Dispositions in regard to the cooperation on railways, airways, communications and the leading maritime transportation.

C. Matters concerning the appointment and employment of Japanese advisors and personnel.

D. Negotiations concerning the matters for purely local disposition with Japan or Manchukuo, not enumerated above under A and B.

(3) The North China Political Committee shall be empowered to make dispositions in regard to local contact with Mongolia within the scope determined by the Government of the Republic of China.

(4) Whenever the North China Political Committee has made disposition of the aforementioned matters under (2) and (3), it shall be reported to the Government of the Republic of China.

III

In view of the fact that it has been decided to materialize close economic collaboration between China and Japan in the lower areas of the YANGTSE River, according to the stipulations of the aforementioned treaty and the annexed documents; and in view of the fact that Shanghai holds an important position in materializing Sino-Japanese cooperation; the Republic of China shall build a new Shanghai with the cooperation of the Japanese Government and materialize Sino-Japanese cooperation in accordance with the following items to be separately agreed upon.

(1) Both countries shall closely cooperate in matters regarding trade, finance, industry and transportation in the lower areas of the Yangtse River, particularly in Shanghai. There shall be established a Sino-Japanese Economic Council.

(2) Both countries shall closely cooperate in matters regarding thought, education, propaganda, sanitation, police and cultural enterprises in Shanghai.

(3) In regard to the construction of the Shanghai Special Municipality, the Government of the Republic of China shall give due consideration to the source of its revenue and thereby prevent obstruction in its construction; and the Government of Japan shall afford technical cooperation to the above mentioned construction.

(4) In regard to the external negotiations of the Shanghai Special Municipality, both countries shall constantly maintain close contact and shall cooperate together.

(5) Among matters attending the stationing of Japanese troops, those for local disposition in Shanghai shall be handled by the Shanghai Special Municipal Government.

IV

In view of the fact that it has been decided to materialize close military collaboration and economic cooperation between the two countries in the specific islands along the coasts of South China and at points related thereto, according to the stipulations of the aforementioned treaty and annexed documents, the Government of the Republic of China shall take the following measures in accordance with the existing condition and under agreements to be agreed upon separately between the two countries.

(1) A province shall be established, comprising the Hainan Island and adjacent islands.

(2) The Amoy Special Municipality shall be established comprising the Amoy Island and vicinity.

(3) Measures shall be taken so that local dispositions may be made smoothly of matters in regard to military cooperation and economic collaboration among the matters pertaining to Sino-Japanese cooperation in the aforementioned areas.

V

The Government of the Republic of China shall, in accordance with agreements to be concluded separately with the Government of Japan, engage Japanese technical and military advisers, and employ Japanese personnel with regard to the matters of Sino-Japanese cooperation.

The functions and the service regulations of the advisers shall be prescribed by the Government of the Republic of China in accordance with agreements to be made separately between the two countries, and the duties of the personnel mentioned in the preceding paragraph shall be in conformity with the regulations prescribed by the law of the Republic of China.

I wish that Your Excellency will confirm the aforementioned understanding.

I avail myself of this opportunity to renew to Your Excellency the assurance of my high esteem.

WANG CHAO-MING

Chief of the Executive Yuan
National Government of the Republic of
China

Nanking,
30 November 1940

C E R T I F I C A T E

W.D.C. No. _____
I.P.S. No. _____Statement of Source and Authenticity

I, _____ hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief of the Archives Section, Foreign Office and that as such official I have custody of the document hereto attached consisting of _____ pages, dated _____ and described as follows: Note (A) from Chief of the Executive, Yuan Wang to Ambassador Abe dated November 30, 1940, annexed to the Japan China Basic Treaty. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Foreign Office.

Signed at Tokyo on this
2nd day of August 1946

Witness: /s/ Nagaharu Odo

/s/ T. Shimoda
Signature of Official

Chief, Archives Section
Official Capacity

I, Edward P. Monaghan, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
2nd day of August 1946

/s/ Edward P. Monaghan

Witness: /s/ William C. Prout

Investigator, IPS
Official Capacity

EXCHANGED OFFICIAL DOCUMENT (A)

Nanking,
November 30, 1940

His Excellency WANG CHAO-MING
Executive Chief of the National Government
of the Republic of China

Sir:

I have the honour of writing you this letter. Respectfully, I wish to inform you that I have duly noted the contents of your letter of today, which stated as follows.

"In affixing our names today to the treaty regarding the fundamental relations between the Republic of China and Japan, the following understanding has been established between Your Excellency and myself.

First:

Since Mongolia (the area north of the Inner Great Wall; the wall itself is not included) possesses the peculiarity of being a highly cohesive area for the both countries of China and Japan from the standpoint of national defense and economy, as per stipulations of the aforementioned treaty, Mongolia shall be an autonomous area of highly protective nature against communism, and the comprehensive rights of self-government shall be recognized which shall be based on the present condition.

The Republic of China shall stipulate the rights of Mongolia's autonomy in accordance to the law and ordinance provided for the autonomy of Mongolia, but, in regard to the legislation of such law and ordinance, the Government of the Republic of China shall consult the Government of Japan beforehand.

Second:

(1) In view of the nature of North China (the area is North, Shansi and Shantung, south of the Inner Great Wall - the wall itself is included) as being a close collaborative area between China and Japan from the standpoint of national defense and economy, as prescribed in the aforementioned treaty and annexed document, the Government of the Republic of China shall establish in North China the North China political committee which shall succeed and conduct matters that have been managed by the Provisional Government of the Republic of China. After peace in general is restored between the two countries, the authorized powers of the said committee can be limited to embody the following item (2) and with this in view, adjustment and regulation should be specially effected.

(2) Among the Sino-Japanese cooperative matters in North China which the North China political committee can locally manage after the restoration of general peace between the two countries are as follows, and in regard to these matters, the Government of the Republic of China shall stipulate them in accordance with the laws and ordinances based upon consultation with the Government of Japan.

A. Matters concerning Anti-communism and cooperation in peace preservation.

(1) Management of matters related to the stationing of Japanese troops.

(2) Management of requisite matters in regard to Anti-communism and cooperation in peace preservation between China and Japan.

(3) Management of other matters in regard to Sino-Japanese military cooperation.

However, the management of the National Defense Army shall be conducted by the military affairs management organ that is to be established by the Government of the Republic of China in North China, and furthermore, as regards the military strength of the Suiching Army maintained by the North China Political Committee, it shall be prescribed separately.

B. Matters concerning the economic concert in North China; particularly, in the development and utilization of underground resources necessary for national defense, and the supply of materials among Japan, Manchukuo, Mongolia and North China.

(1) Matters concerning the grant of facilities to Japan and the Japanese people in developing and utilizing the underground resources; particularly, resources necessary for national defense.

(2) Management in regard to the rationalization and expediency in the supply and demand of materials among Japan, Manchukuo, Mongolia and North China.

(3) Management in regard to the cooperation on currency and exchange among Japan, Manchukuo, Mongolia and North China.

(4) Management in regard to the cooperation on railways, airways, communications and the leading maritime transportation.

C. Matters concerning the appointment and employment of Japanese advisors and officials.

D. The negotiations concerning the purely local management of matters not treated in the aforementioned articles of A, B, and C, between Japan and Manchuria.

(3) The North China political committee shall be permitted to manage matters in regard to local coordination with Mongolia, provided that it is within the scope decided by the Republic of China.

(4) When the North China political committee manages matters indicated in the aforementioned articles of 2 and 3, they shall be reported, from time to time, to the Government of the Republic of China.

Third:

In view of the fact that it has been decided to materialize the close economic collaboration between China and Japan in the lower areas of the YANGTSE River, as based on the stipulation of the aforementioned treaty and the annexed protocols; and in view of the fact that Shanghai holds an important position in materializing the Sino-Japanese cooperation; Sino-Japanese cooperation shall be materialized in accordance with the following items separately consulted and decided upon, in order to build a new Shanghai with the cooperation of the Japanese Government.

(1) Both countries shall closely cooperate in matters regarding trade, finance, industry and transportation in the lower areas of the Yangtse River, particularly in Shanghai; and furthermore, to establish the Sino-Japanese economic council

(2) Both countries shall closely cooperate in matters regarding thought, education, propaganda, sanitation, police and cultural enterprises in Shanghai.

(3) In regard to the construction of the Shanghai Special Municipality, the Government of the Republic of China shall give due consideration to the source of its revenue and thereby prevent obstruction in its construction; and to which the Government of Japan shall accord technical cooperation to the above mentioned construction.

(4) In regard to the external negotiations of the Shanghai Special Municipality, both countries shall constantly maintain close liaison and shall cooperate together.

(5) Among matters accompanying the stationing of Japanese troops insofar as the local management in Shanghai is concerned, the Shanghai Special Municipal Government shall be responsible.

Fourth:

In view of the fact that it has been decided to materialize the close military collaboration and the economic cooperation between the two countries in the specific islands along the coasts of Southern China and relative spots thereof, as based on the stipulations of the aforementioned treaty and annexed documents, the Government of the Republic of China shall take the following measures in accordance with the current conditions based on agreements that are to be consulted and decided separately between the two countries.

(1) A province shall be established from the areas comprising the Hainan Island and the adjoining islands thereof.

(2) The Amoy Special Municipality shall be established from the areas comprising the Amoy Island and its vicinity.

(3) Measures shall be taken so that local management could be carried on smoothly on matters in regard to military cooperation and economic collaboration in the aforementioned area, as provided for in the matters pertaining to Sino-Japanese cooperation.

Fifth:

The Government of the Republic of China shall, in accordance with agreements to be made separately with the Government of Japan, engage Japanese technical and military advisers, and employ Japanese officials in order to manage the cooperative matters between China and Japan.

The Official power and the service regulation of the advisers shall be prescribed by the Government of the Republic of China in accordance with agreements to be made separately between both countries, and the duties of the officials shall be in conformity with the regulations prescribed in the law of the Republic of China.

I wish that your excellency will confirm the aforementioned understanding. The undersigned herewith confirms the aforementioned understanding.

In answering as above, the undersigned extends his respect to your excellency.

Your cordially,

On the 30th day of November in the 15th year of Showa (1940) at Nanjing
Nobuyuki, ABE

Envoy Extraordinary and Ambassador
Plenipotentiary of the Empire
of Japan.

To His Excellency WAN Chao-Ming, Executive Chief of the National Government
of the Republic of China.

CERTIFICATE

W.D.C. No. _____
I.P.S. No. 1453 A

I, SHIMODA, Takeso, in the capacity of Chief of the Archives Section, Foreign Office, do hereby certify that the attached document is a true and correct copy of the original described as follows: Note (A) to Chief of the Executive Yuan Wang from Ambassador Abe, dated November 30, 1940, annexed to the Japan-China Basic Treaty.

Signed at TOKYO on this
2nd day of August 1946.
/s/

Witness: NAGAHARU ODO

/s/ T. SHIMODA

Chief, Archives Section.
Foreign Office.

Statement of Official Procurement

I, Edward P. Monaghan, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at TOKYO on this
2nd day of August, 1946.

/s/

Witness: William C. Prout

/s/ EDWARD P. MONAGHAN

NAME
Investigator, IPS

Official Capacity

CERTIFICATE

W.D.C. No. _____

I.P.S. No. 1453 B

I. SHOMODA, Takeso, in the capacity of Chief of the Archives Section, Foreign Office, do hereby certify that the attached document is a true and correct copy of the original described as follows: Note (B) to China of the Executive Yuan from Ambassador Abe dated November 30, 1940 annexed to the Japan-China Basic Treaty.

Signed at TOKYO on this

2nd day of August 1946./s/ Nagaharu Odo
Witness/s/ T. Shimoda
Chief, Archives Section
Foreign Office.

His Excellency Wang Chao-ming,
Chief of the Executive Yuan,
The Government of the Republic of China.

Sir,

I have the honor to acknowledge the receipt of Your Excellency's note of today's date reading as follows:

On signing the Treaty relating to the Basic Relations between Japan and China, an agreement was reached between Your Excellency and myself, with reference to the stipulations of Article 1 of the Supplementary Protocol of the said Treaty, that during the period in which Japan continues in the territories of the Republic of China the warlike operations she is now carrying on, the government of the Republic of China will positively cooperate toward the full attainment of the purposes of the said warlike operations of Japan.

I wish that Your Excellency will confirm the abovementioned understanding.

It gives me pleasure to confirm the above-mentioned understanding.

In replying to Your Excellency, I avail myself of this opportunity to renew the assurance of my highest consideration.

Nanking
November 30, 1940.

Nobuyuki Abe
Envoy Extraordinary and
Ambassador Plenipotentiary
of the Japanese Empire.

Statement of Official Procurement

I, Edward P. Monaghan, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
2nd day of August 1946.

/s/ Edward P. Monaghan
Name

Witness: William C. Prout
(Signed)

Investigator, I.P.S.
Official Capacity

ANNEXED SECRET AGREEMENT

The Plenipotentiaries of Japan and the Republic of China, in signing the treaty regarding the fundamental relations between the two countries today have agreed as follows:

Article I

The Governments of the two countries have agreed that, in order to promote the common interests of both countries and to secure peace in East Asia, diplomacy based upon mutual concert shall be effectuated and that no measures, which are contrary to this principle, shall be taken on relations with other third countries.

Article II

The Government of the Republic of China shall comply to the Japanese demands regarding military necessities, in accordance with the agreements that are to be decided hereafter between the two countries, concerning the railways, airways, communications, harbors and waterways located in areas stationed by Japanese troops and in the related areas thereof within the territorial jurisdiction of the Republic of China. However, the executive and administrative rights of the Republic of China shall be respected in ordinary times.

The Government of the Republic of China agree to grant the aforementioned Japanese troops facilities necessary to station troops in accordance with the agreements that are to be decided hereafter between the two countries.

Article III

The governments of the two countries shall publicly announce, when found necessary, the whole or a part of the articles in this agreement upon consultation.

Article IV

This agreement shall come into effect with the conclusion of the treaty.

As an evidence of the agreement, the Plenipotentiaries of the two countries have signed and affixed their seals thereon.

Two copies of each, one in Japanese and the other in Chinese, have been drawn up in Nanking this 30th day of November in the 15th year of Showa, or on the 30th day of November in the 29th year of the Republic of China (1940).

s/ ABE, Nobuyuki
Envoy Extraordinary and Ambassador
Plenipotentiary of the Japanese Empire

s/ WANG Chao Ming
Executive Chief of the National Government
of the Republic of China

Doc. 14530

Page 1

His Excellency ABE, Nobuyuki,
Envoy Extraordinary and Ambassador
Plenipotentiary of the Japanese Empire.

Monsieur l'Ambassadeur,

I have the honor to inform you that on signing the Treaty relating to the Basic Relations between Japan and China, an agreement was reached between Your Excellency and myself, with reference to the stipulations of Article 1 of the Supplementary Protocol of the said Treaty, that during the period in which Japan continues in the territories of the Republic of China the warlike operations she is now carrying on, the government of the Republic of China will positively cooperate toward the full attainment of the purposes of the said warlike operations of Japan.

I wish that Your Excellency will confirm the above-mentioned understanding.

WANG CHAO-MING
Chief of the Executive Yuan,
National Government of the
Republic of China.

NANKING,
30 November, 1940.

CERTIFICATE

W.D.C. No. _____

I.P.S. No. 1453C

I, OTABE, Kenichi, in the Capacity of Chief of the Translation Section, Foreign Office, do hereby certify that the attached document is a correct translation of a document described as follows: Note (B) from Chief of the Executive Yuan Wang to Ambassador Abe, dated November 30, 1940, annexed to the Japan-China Basic Treaty.

Signed at TOKYO this
2nd day of August, 1946.

/s/ KENICHI OTABE
Chief, Translation Section
Foreign Office

C E R T I F I C A T E

W.D.C. No. _____

I.P.S. No. 14530Statement of Source and Authenticity

I, SHIMODA Takao hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief of the Archives Section, Foreign Office, and that as such official I have custody of the document hereto attached consisting of _____ pages, dated _____, and described as follows: Note (B) from Chief of the Executive Wing to Ambassador Abe, dated November 33, 1940, annexed to the Japan-China Basic Treaty. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files.):

Foreign Office

Signed at Tokyo on this
2nd day of August 1946.

Witness: Nagaharu Odo

/s/ T. SHIMODA
Signature of Official
Chief, Archives Section
Official Capacity

I, Edward P. Monaghan, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
2nd day of August, 1946 /s/ Edward P. Monaghan
Name

/s/
Witness: William C. Prout Investigator, I.P.S.
Official Capacity

(Doc. 1453C)

I, CHU Ching-ju, hereby certify that I am well versed in Japanese and Chinese, and that, after comparing the Chinese and Japanese texts, I have confirmed that the documents are truly and correctly translated.

August 30, 1946

/s/ Chu Ching-Ju